

EXHIBIT 4

McCALEB

vs.

LONG

DAN MCCALEB

October 13, 2023



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1 precipitated the change from the Illinois News
2 Network to Center Square?

3 A. Well, in 2017 when I joined, we were covering
4 just Illinois only. And then we expanded our
5 coverage to across the country and Illinois News
6 Network didn't work for Tennessee or Pennsylvania,
7 for example.

8 Q. Okay. Before you worked for Illinois News
9 Network, where did you work?

10 A. I worked for Shaw Media.

11 Q. Was that also in Tennessee -- or in Illinois?

12 A. Yes, Illinois. I was in Illinois. Illinois
13 and Iowa, yes.

14 Q. All right. Do you know why we are here
15 today?

16 A. Yes.

17 Q. What is your understanding of why we're here
18 today?

19 A. I am giving a deposition in a lawsuit against
20 Defendant Michelle Long.

21 Q. And what is the purpose of that lawsuit?

22 A. To open up the Bench Bar Advisory Commission
23 in Tennessee to public scrutiny, essentially.

24 Q. When you say public scrutiny, are you
25 limiting that to press or is it your understanding

1 that this lawsuit would apply to the entirety of the
2 public?

3 A. The press and the public.

4 Q. Okay. The caption in the lawsuit says that
5 you are the plaintiff as executive editor of The
6 Center Square. So is it your understanding that you
7 are filing this suit as a private citizen or as a
8 member of the press?

9 A. As a member of the press.

10 Q. Have you reviewed all the pleadings in this
11 case?

12 A. Yes.

13 Q. Do you agree with everything that's been
14 filed on your behalf?

15 A. Yes.

16 Q. Why did you initiate this lawsuit?

17 A. As a 30-plus-year journalist I believe in
18 open government. When I learned that this was
19 closed, I asked the question, what are they hiding,
20 as I would in any situation. So I looked into it
21 further and thought it was appropriate to get the
22 meetings open.

23 Q. When you say you learned that they were
24 closed, how did you learn that they were closed?

25 A. I think my first information about it had to

1 do with Ms. Long's statement or a policy position
2 that she put out that had to do with concerns about
3 safety and security and closing -- was it the
4 Tennessee Judicial Conference? I started looking
5 into it after that.

6 Q. So you believe that you saw a policy from
7 Michelle Long that indicated that the Tennessee
8 Rules Advisory Commission on Practice and Procedure
9 were closed to the public?

10 MR. DOUGHERTY: Object to the form of
11 the question.

12 BY MR. STAHL:

13 Q. You can answer.

14 A. Okay. No. No. Initially it was the
15 Tennessee Judicial Conference, I think is what the
16 name of it is. I think it came from Michelle Long,
17 yes.

18 Q. But that was a policy that you saw that
19 indicated that the Judicial Conference was closed to
20 members of the public?

21 A. I don't know if you'd call it a policy or a
22 rule or whatever but the Judicial Conference was
23 closed.

24 Q. Well, what would you call it?

25 A. I guess if they're acting on the policy, I'd

1 call it a rule that was put in place.

2 Q. And where did you see this rule?

3 A. On the Tennessee judicial website,
4 tncourts.gov, I believe it is.

5 Q. When was the last time you saw this policy?
6 Or the rule?

7 A. When I reviewed my filings, I believe.

8 Q. When did you review those filings?

9 A. Over the course of this week.

10 Q. So within the past week you saw a policy or a
11 rule on the Tennessee Judicial website from Michelle
12 Long that said the Tennessee Judicial Conference was
13 closed to members of the public?

14 MR. DOUGHERTY: Object to the form of
15 the question.

16 THE WITNESS: I have reviewed a lot of
17 documents in the past week, so I guess I can't state
18 specifically. I definitely read something related
19 to concerns over security and safety for members of
20 the Tennessee Judicial Conference.

21 BY MR. STAHL:

22 Q. Was this lawsuit filed in the last week?

23 A. No.

24 Q. Do you remember when you filed this lawsuit?

25 A. June of 2022.